

Notice of Allowability

Application No.

10/538,585

Examiner

Lisa C. Sievers

Applicant(s)

VILANOVA ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed on 10/30/2007.
2. ☒ The allowed claim(s) is/are 10-16 and 18-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

1. Claims 10 - 16 and 18 - 23 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claims 10 – 16, 18 and 23 is the inclusion of the limitations, “detecting means are chemiresistor gas sensors each of them comprising a semiconductor-type metal-oxide active layer, metallic electrodes to monitor the changes in the electrical conductivity of the semiconductor layer and heating means... wherein the sensing mechanism of the system involves the monitoring of conductivity changes of each sensor which take place in response to the presence of said pollutant gases contained in the carbon dioxide gas flow, and take place without the need to introduce additional oxygen into the sensor’s structures during measurement.”

The primary reason for the allowance of claims 19 - 22 is the inclusion of the limitations, “a plurality of chemiresistor sensors each of which sensors comprises a semiconductor-type metal-oxide active layer, metallic electrodes to monitor the changes in the electrical conductivity of the semiconductor layer, and heating means... wherein the sensing mechanism of the system involves the monitoring of the conductivity changes of each sensor which take place in response to the presence of said pollutant gases contained in the carbon dioxide gas flow, and which take place without the need to introduce additional oxygen into the sensor’s structures during measurement.”

It is these limitations expressed in the claimed combination but not found, taught or suggested in the prior art of record, or for which the prior art does not suggest a motivation such that it would have been obvious to one of ordinary skill in the art, at the

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time the invention was made, to combine said limitations with remaining claimed features, that makes these claims allowable over the prior art.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa C. Sievers whose telephone number is (571) 272-8052. The examiner can normally be reached on M-F, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LCS

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